

2003 ALWTRT Meeting Background
Potential Atlantic Large Whale Take Reduction Plan Management Options for Discussion
(see accompanying table for further information)

Appendix I: Discussion points regarding changes to ALWTRP regulatory language.

Gillnet and Pot:

1. In the regulatory language, NOAA Fisheries is considering whether to change “Weak Links on all Buoy Lines,” “Buoy Weak Links” and “Weak Links” headings to “Buoy Line Weak Links” where appropriate (e.g. Southern Nearshore Lobster Waters Area section.)
2. Discuss inconsistencies in weak link regulatory text for the various ALWTRP management areas. NOAA Fisheries is considering whether to make the language consistent, and whether where not already mentioned in the regulations, weak link requirement sections should include the following: weak links must be designed such that the bitter end of the buoy line is clean and free of any knots when the link breaks; splices are not considered to be knots for the purposes of this provision; and each weak link must be installed as close to each individual buoy as operationally feasible (E.g. see Gillnet Take Reduction Technology List and SAM gear requirements section).
3. Discuss possibility of knotless buoy lines. Also, discuss possible prohibition of knots when attaching the toggle gangion to the buoy line.
4. Discuss weak link options. NOAA Fisheries is considering whether the regulatory language “rope of appropriate diameter” needs to be changed to “rope of appropriate breaking strength” throughout the regulations when referring to options for meeting weak link requirements. Also, NOAA Fisheries is considering clarifying what the approved configurations are for weak links for both gillnet float rope and buoys, and whether the regulations should incorporate details on the techniques for making weak links and marking buoy lines or provide better indications of how to determine what the approved configurations are.
5. Discuss current gear marking scheme and whether changes are needed (e.g. mark buoy lines and groundlines). Discuss gear marking for mid-Atlantic gillnet fishery. Discuss requiring gear marking for South Atlantic gillnet fishery and in Northern Inshore Lobsters Waters where there are currently no gear marking requirements. If a gear marking scheme (e.g. individual gear marking vs. geographic/fishery Ids; plastic tagging) is required, discuss when this requirement should be incorporated and needs for further research.
6. In the regulatory language, where sinking and/or neutrally buoyant line is required for groundlines, NOAA Fisheries is considering whether it needs to also prohibit the attachment of buoys, toggles or other flotation devices to clarify the intent of the existing regulations.
7. Discuss clarifying in the regulatory language that fishermen are prohibited not only from fishing with gear that does not meet specified requirements, but also from possessing gear that does not meet the specific requirements. (For example, “No person may fish with, set, haul back

or possess lobster trap gear that has any portion of the buoy line that is directly connected to the gear at the ocean bottom floating at the surface at any time.”)

8. Discuss whether NOAA Fisheries should clarify in the regulatory language that fishermen may use “neutrally buoyant and/or sinking line” (e.g. Lobster Take Reduction Technology List language) rather than “neutrally buoyant or sinking line” (e.g. SAM gear modification language).

9. Discuss changing the definition of “sinking line” which is currently defined in 50 CFR 229.2 as “means rope that sinks and does not float at any point in the water column. Polypropylene rope is not sinking line unless it contains a lead core.” Consider whether the definition should be changed to “sinking line means rope that sinks and does not float at any point in the water column.” Such a change would allow sinking line which contains some portion of polypropylene blended with other fibers during the manufacturing process, as long as the final product would not float.

Gillnet

1. Discuss differences in net terminology between Northeast and Mid-Atlantic management areas, and whether clarification is needed such that weak links should be placed on net panels up to and including 50 fathoms.

2. Discuss Northeast driftnet fisheries, which are currently not regulated under the ALWTRP. If this is a current or upcoming fishery, discuss whether NOAA Fisheries should fold Northeast driftnet fisheries into the ALWTRP (e.g. rewrite SAM and DAM regulations so these include driftnet fisheries) and require modifications similar to mid-Atlantic driftnet gear.

Pot

1. Presently, from January 1 through May 15 in Cape Cod Bay Critical Habitat Area, the ALWTRP regulations require the use of sinking line only. Discuss whether NOAA Fisheries should allow fishers to use neutrally buoyant and/or sinking line.